

REMARKS**§ 102 Rejections**

Claims 1, 17-24 and 26-28 stand rejected under 35 USC § 102(e) as being anticipated by Nielsen et al. (US 6652954)

The Applicant submits that Nielsen et al. relates to a laminate and an article comprising a retroreflective layer (i.e. retroreflective sheeting) and a tear resistant film disposed on the retroreflective layer.

The Examiner alleges that adhesive layer 24 is a shrunk film layer because an adhesive layer expands and reduces in size during high and low temperatures.

The Applicant submits that one of ordinary skill in the art appreciates that the thermal expansion and contraction of an adhesive is typically very small. (See for example U.S. Patent No. 6,805,933 being concurrently submitted with this response.) Claims 24 and 26 have been amended to recite that the amount of shrinkage is at least 25% in at least one dimension to clarify that the claimed shrinkable layer shrinks substantially more than thermal expansion and contraction of polymeric materials. This amendment is supported by the specification such as at p. 8, lines 25-27. Claim 17 has been amended to recite a film layer that has shrunk such that a cross-section of at least a portion of the retroreflective element comprises an edge of the retroreflective sheeting in a substantially circular or coil shape. This amendment is supported by the specification such as by original claims 2 and 3.

With regard to Claim 1, Nielsen et al describe retroreflective sheeting. The retroreflective elements of the sheeting of FIGS. 1 and 2 are microspheres (numeral 28). Nielsen et al. also describes retroreflective sheeting that comprises prismatic retroreflective elements. (See for example FIGS 3-4 and column 5, beginning at line 45). However, Nielsen et al. does not describe retroreflective elements having an exposed outer viewing surface comprising retroreflective sheeting partially embedded in a binder such as shown in FIG. 1 of Applicant's patent application.

§ 103 Rejections

Claims 2 and 3 stand rejected under 35 USC § 103(a) as being unpatentable over Nielsen et al. (US 6652954) in view of Slood et al. (US 2002/0186472).

Claims 4, 5, 9-16 stand rejected under 35 USC § 103(a) as being unpatentable over Nielsen et al. (US 6652954) in view of Stump et al. (US 5835271).

Claims 6-8 stand rejected under 35 USC § 103(a) as being unpatentable over Nielsen et al. (US 6652954) in view of Stump et al. (US 5835271) and further in view of Fei (US 5419651).

Claim 25 stands rejected under 35 USC § 103(a) as being unpatentable over Nielsen et al. (US 6652954).

Nielsen et al. does not describe retroreflective elements comprising an exposed outer viewing surface comprising retroreflective sheeting and a layer beneath the viewing surface comprising a film layer shrunk at least 25% in at least one dimension. The secondary references also fail to teach such retroreflective elements. Accordingly, the combination of references fails to teach all the claim limitations.

The Applicant has responded to all the rejections. A timely allowance is respectfully requested.

Respectfully submitted,

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